



**THEREFORE, IT IS HEREBY ORDERED** (1) that Petitioner's Motion to Dismiss for Noncompliance is Denied; (2) that the State, if it has not already done so, send Petitioner a copy of the Motion for Summary Judgement immediately; and (3) that the Petitioner now has until May 31, 2005 to provide any supplemental affidavits countering the evidence offered by the State's Motion for Summary Judgment.

**Signed: May 10, 2005**

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
Chief United States District Judge

